

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re APOLLO GROUP, INC.
SECURITIES LITIGATION

Case No.: C 06-80270 MISC PVT

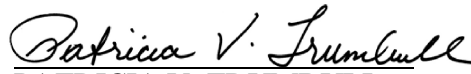
**ORDER SCHEDULING HEARING
AND ALLOWING RESPONSE BY
MOVANTS TO UNAUTHORIZED
BRIEFING BY DEFENDANT**

On September 22, 2006, the parties, and non-parties Julie Albertson and Mary Hendow (“Movants”), appeared for hearing on Movant’s motion to quash deposition subpoenas.¹ On September 26, 2006, this court issued an tentative ruling, subject to any request for further oral argument. On September 29, 2006, Defendant Apollo Group, Inc. filed a request for oral argument which included further substantive briefing that had not been authorized by the court. Therefore,

IT IS HEREBY ORDERED that a further hearing on Movant’s motion to quash deposition subpoenas shall be held at 10:00 a.m. on October 17, 2006.

IT IS FURTHER ORDERED that, no later than October 10, 2006, Movants may file a brief of no more than 5 pages responding to Defendant’s unauthorized briefing in its September 29, 2006 request for oral argument.

Dated: 10/3/06


PATRICIA V. TRUMBULL
United States Magistrate Judge

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.